

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

J & J SPORTS PRODUCTIONS, INC.,
as Broadcast Licensee of the May 6, 2006
DeLaHoya/Mayorga Program,

Plaintiff,

-v-

JAIME RODRIGUEZ, Individually and d/b/a
TOWN BARBER SHOP and TOWN BARBER
SHOP,

Defendants.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: _____

Case No. 06-CV-9930 (KMK)(MDF)

ORDER ADOPTING
REPORT & RECOMMENDATION

Appearances:

Julie Cohen Lonstein, Esq.
Lonstein Law Office P.C.
Ellenville, New York
Counsel for Plaintiff

KENNETH M. KARAS, District Judge:

Plaintiff alleges that Defendants intercepted and displayed a professional boxing match without authority in violation of the Federal Communications Act. *See* 47 U.S.C. §§ 553, 605. According to the Complaint, Plaintiff held the right to broadcast and distribute in New York the DeLaHoya/Mayorga boxing match program of May 6, 2006. Defendants have failed to appear or otherwise respond to the Complaint, including at three different scheduled court proceedings on February 9, 2007, on June 20, 2007, and on July 10, 2007.

Defendants were personally served with the Complaint on December 5, 2006. Plaintiff moved for a default judgment against Defendants on February 19, 2007, requesting statutory damages under 47 U.S.C. § 605(e)(3)(C)(i)(II), enhanced damages under 47 U.S.C. §

605(e)(3)(C)(ii), and attorney's fees under 47 U.S.C. § 605(e)(3)(B)(iii). Judge Colleen McMahon granted Plaintiff's application for default judgment and, on May 23, 2007, referred this case to Magistrate Judge Mark D. Fox for Inquest after Default/Damages Hearing. Judge Fox issued a thorough Report and Recommendation (R&R) on August 3, 2007. On August 6, 2007, the case was reassigned from Judge McMahon to this Court.

Objections to the R&R issued by Judge Fox were due by August 20, 2007, and the Court has received no objections. Having reviewed the R&R for clear error and finding none, the R&R is ordered adopted in its entirety.

The Clerk of the Court is directed to enter judgment in favor of Plaintiff J&J Sports Productions, Inc., and against Defendants Jaime Rodriguez and Town Barber Shop, jointly and severally, in the amount of three thousand seven hundred and fifty dollars (\$3,750) plus costs, including reasonable attorney's fees, of one thousand six hundred and twenty-seven dollars and seventy-five cents (\$1,627.75), for a total of five thousand six hundred and twenty-seven dollars and seventy-five cents (\$5,377.75). The Clerk of the Court is further directed to terminate the pending motion (Docket No. 13) and to close the case.

SO ORDERED.

Dated: October 29, 2007
White Plains, New York


KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE